

# **NOTICE OF SETTLEMENT OF CLASS ACTION CONCERNING PROCESSING OF FOOD STAMP APPLICATIONS**

**This Notice is posted because the parties have settled the case  
*Brancatelli v. Berns*, CIV 04-421 TUC CKJ.**

**This is notice to the class members  
to inform them of the settlement of this matter and of their rights.**

## **Background**

In 2004, Plaintiffs filed the *Brancatelli* case to require the Arizona Department of Economic Security (“DES”) to process applications for food stamps, including applications for emergency food stamps and recertifications, within the time periods set in federal law. The Plaintiffs claimed that DES did not process food stamp applications timely. The Plaintiffs filed this lawsuit on behalf of all persons in Arizona who, since August 17, 2004, have filed or will file an application for food stamps and whose application has been or will be processed untimely by DES (the “class members”).

## **Settlement**

On October 14, 2005, the Hon. District Judge Cindy Jorgenson signed the Settlement and copy was docketed by the clerk on October 17, 2005. A copy of the settlement may be obtained at any DES Family Assistance Administration local office, on the DES website at [www.azdes.gov](http://www.azdes.gov), or by contacting Plaintiffs’ counsel at the addresses below. The general terms of the settlement are:

1. DES will process applications for food stamps, including applications for emergency food stamps and recertifications, within the time periods set in federal law.
2. DES will provide information to all applicants concerning their right to have their food stamp application processed timely and information concerning where to complain if their application is not processed timely.
3. DES will take required actions to remain in compliance with federal law.
4. Plaintiffs’ attorneys will monitor the settlement; and
5. Plaintiffs’ attorneys will receive their reasonable attorneys’ fees and costs.

## **Right to Object**

Any class member has the right to let the Court, the attorneys, and the parties know if he or she objects to the settlement.

Class members may attend the hearing and present any objections at that time. Class members also may submit written objections to the Court at the address below, postmarked four business days prior to the hearing.

If a class member does not make a written objection or attend the Court hearing, the Court and the parties will assume the class member has no objection to the settlement.

**The Court has set a hearing on February 23, 2006, at 2:00 p.m.  
at:**

**U. S. District Court  
405 West Congress Street, Courtroom 5C  
Tucson, Arizona 85701-1510**

Plaintiffs’ counsel may be contacted at:

Ellen Sue Katz  
William E. Morris Institute for Justice  
202 East McDowell Road, Suite 257  
Phoenix, Arizona 85004-4536  
(602) 252-3432 (local and collect)  
(602) 275-8138 (fax)  
(602) 257-1870 (en español)  
[eskatz@qwest.net](mailto:eskatz@qwest.net)

Marc Cohan  
or  
Gina Mannix  
Welfare Law Center  
[wlc@welfarelaw.org](mailto:wlc@welfarelaw.org)  
1-212-633-6967 (collect)

**If you have any questions, please call (602) 252-3432, or (602) 257-1870 (en Español).**

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